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FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
<u>Examiner Donald Champaign</u>	<u>F. Jason Far-hadian, Esq.</u>
COMPANY:	DATE:
<u>United States Patent Office</u>	<u>JUNE 1, 2006</u>
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
<u>571 273 8300</u>	<u>-5-</u>
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
<u>571 272 6717</u>	<u>M-7729 US</u>
RE:	YOUR REFERENCE NUMBER:
<u>UserTrends, Inc.</u>	<u>09/379,167</u>

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

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PATENT
Customer 42698
Docket No. M-7729 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Bruce Eisen et al.

Serial No: 09/379,167

Filed: 08/23/1999

For: Electronically Distributing Promotional And
Advertising Material Based Upon Consumer
Internet Usage

Art Unit: 2162

Examiner: Donald Champaign

I hereby certify that this correspondence is being transmitted to:
Commissioner for Patents
P.O. Box 1450
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F. Jason Far-hadian
Name
/FJ Far-hadian, Esq./
Signature DateTRANSMITTAL OF INFORMATION DISCLOSURE
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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56 and 1.97, enclosed please find a copy of Form PTO-1449 listing the attached references which might be deemed material to the examination of the above-identified application. The Applicant respectfully submits, however, that the references are distinguishable from the claimed invention in that they each fail to teach or suggest all the recited elements, and that at least one of the references teaches away from the claimed collection of the elements and the recited relationships therebetween.

1. Non-English Language References

- Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- The specification incorporates comments on the relevancy of Non-English language references.
- Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

2. The information disclosure statement submitted herewith is being filed within three months of the filing date of the national application other than a continued prosecution application (CPA) or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 1.114 whichever event occurs last. 37 C.F.R. § 1.97(b) (as amended September 2000).

3. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either: 37 C.F.R. § 1.97(c) (as amended September 2000).

(1) a final action under § 1.113 or

(2) a notice of allowance under § 1.311, whichever occurs first.

STATEMENT OR FEE

A. Included with this transmittal is

i. a certification (set forth below) in accordance with 37 C.F.R. § 1.97(e). (If for any reason the certificate set forth below should be unsatisfactory, the Commissioner is provisionally authorized to charge the \$180 fee (37 C.F.R. § 1.17(p)) to Deposit Account No. 503379. A copy of this sheet is enclosed.)

OR

ii. the attached fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

4. The information disclosure statement transmitted herewith is being filed *after* a final action under § 1.113 or a notice of allowance under § 1.311, whichever occurs first, but before, or simultaneously with the payment of the issue fee. 37 C.F.R. § 1.97(d) (as amended September 2000).

STATEMENT AND FEE

A. In accordance with the requirements of 37 C.F.R. § 1.97(d):

i. Set forth below is a certification as specified in 37 C.F.R. § 1.97(e); AND

ii. Applicant submits the petition fee set forth in § 1.17(p). (\$180.00).

STATEMENT

(Required if 3Aii or 4 above is marked)

5. I, the person signing below, certify

that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. § 1.97(e)(1).

OR

that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information disclosure statement was known to any individual designated in

§ 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R.
§ 1.97(e)(2).

6. If it should be determined that for any reason either an insufficient fee or an excessive fee has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 503379. A copy of this petition is enclosed.

Respectfully submitted,

Century IP Group

/FJ Far-hadian, Esq./

Date: June 1, 2006

By: _____

F. Jason Far-hadian
Registration No. 42,523
Attorney for Applicant(s)

Customer 42698

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB Control Number.	
Substitute for form 1449/PTO	Application Number 09/379,187
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date 08/23/1999
(Use as many sheets as necessary)	First Named Inventor Bruce Eisen et al.
	Art Unit 3622
	Examiner Name Donald Champaign
	Attorney Docket Number M-7728 US

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document Country Code Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
Examiner Signature			Date Considered		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not used. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Knobs Code of USPTO Patent Documents at www.uspto.gov. 3 MPEP 609. 4 USPTO Office that issued the document, by name or code (WIPO Standard ST.3). 4 For Japanese patent documents, indicate the year of the reissue of the original patent prior to the date of the reissue. 5 Kind of document indicated by the appropriate symbols as indicated on the document under WIPO Standard ST.5 if possible. 6 Applicant is to place a check mark here if English language translation is attached.

This application for registration is required by 37 CFR, 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) this application. Confidentiality is governed by 35 U.S.C. 112 and 37 CFR 1.14. This estimation is to take 2 hours to complete, including gathering, preparing, and submitting the completed application forms to the USPTO. The time required will vary depending upon the individual case. Any comments or the amount of time you require to complete this form will be helpful in suggesting changes to this application. Send comments to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9192 (1-800-786-9192) and select option 2.